(33)

HIGH COURT OF CHHATTISGARH AT BILASPUR

WRIT PETITION (C) No. 5411 of 2007

PETITIONERS : 1. Ramjee, S/o Bodhawa Kewat, Aged about 40 years.
2. Lobhram S/o Duklaha Sahu, aged 55 years.
3. Dinabandhu S/o Amar Singh Verma, Aged about 45 years.
4. Sadaram S/o Mohanlal Lohar, Aged about 47 years.
5. Ram Moorti S/o Sethilal Sahu, Aged about 54 years.
6. Khetmal S/o Mollchand Jain, Aged about 62 years.

All R/o villages Nevnara Post – Hasda Thana and Tahsil – Berla, Distt. – Durg (C.G.)

VERSUS

RESPONDENTS : 1. State of Chhattisgarh, Through its Secretary, Department of Panchayat and Environment Mantralaya, DKS Bhawan, Raipur (C.G.)
2. The Collector, Durg.
3. Sub Divisional Officer, Saja Block Saja – Tahsil Berla, Distt. Durg.
4. Tahsildar, Tahsil – Berla, Distt. Durg.
5. Sarpanch Gram Panchayat Newnara Vikas Khand – Berla, Distt. – Durg.

WRIT PETITION UNDER ARTICLE 226 OF THE CONSTITUTION OF INDIA.

SB: Hon'ble Shri Satish K. Agnihotri, J.

Present: Shri Raghavendra Pradhan, Advocate for the petitioner.
Shri Vinay Harit, Deputy Advocate General for the State.

ORDER

(Passed on 07th day of September, 2007)

1. Learned counsel appearing for the petitioners submits that the petitioners have acquired title over the disputed land. The Gram Panchayat, Newara, by impugned order dated 24.08.2007 (Annexure P/1) has directed the petitioners to remove the disputed structure within 7 days, failing which the same would be forcefully removed.

2. Learned counsel further submits that no opportunity of hearing was given to the petitioners. Learned counsel seeks permission to withdraw the petition and two week's time to take recourse to civil proceedings. It is ordered accordingly.

3. In view of the above, this petition is dismissed with the above stated liberty. However, the respondents are directed not to take any steps for dispossession of the petitioner from the disputed property for a period of two weeks from today i.e. 07.09.2007.

Certified copy of the order, today.

Sd/-
Satish K. Agnihotri
Judge

Amit